

HOME ENVIRONMENTAL WORKSHEET

Informational Sheet “B”

Historic Preservation

(use by Local Government Recipients)

Protection of Historic Properties: National Historic Preservation Act (36 CFR Part 800):

Federally funded activities are subject to the review requirements of Section 106 of the National Historic Preservation Act. The review process involves consultation with various agencies, groups and individuals. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

Historic Properties are those properties that are listed on the National Register or are eligible for listing. A property is considered eligible when it meets specific criteria established by the National Park Service (36 CFR Part 63). Recipients are responsible for initiating the Section 106 review with State Historical Preservation Office (SHPO), located in the Department of Cultural Affairs <http://iowahistory.org/> and Iowa Indian Tribes <http://www.cr.nps.gov/nacd/>

SHPO has established forms and instruction to help the recipient through the Section 106 process. These forms and instructions are included in this appendix and can be found at www.iowahistory.org. If you have any questions about historic preservation requirements contact Dan Higginbottom at his office phone number of 515/281-8744 for archeological resources and Barbara Mitchell at her office phone number of 515/281.4013 for architectural resources at the Department of Cultural Affairs. Under the National Historic Preservation Act (NHPA) an advisory council on historic preservation was established. This Federal agency oversees the Section 106 process. Recipients can learn more about the council's role, get copies of 36 CFR Part 800, and obtain other information about the Section 106 process on the Council's web site at www.achp.gov.

The recipient must complete the Section 106 process “prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license”. Below is a simplified documentation process to meet the Section 106 requirements. Use the below steps to determine if your activity is an undertaking that has the potential to cause effects to historic properties.

Step 1 Determine the Area of Potential Effects (APE) (36 CFR Part 800.16(d))

The APE is the surface and subsurface geographic area within which the undertaking may cause effects to historic properties if they exist. Usually it encompasses the activity area including all easements, borrow areas, equipment and material storage, and staging areas. Also take into account the excavation and other earthmoving activities including 3-dimensional parameters (length, width, and depth) of the intended subsurface impacts. This information is normally included in the architectural plans and schematics for the activity.

Step 2 Identify historic properties within the APE (36 CFR Part 800.4)

The recipient shall make a reasonable and good faith effort to carry out appropriate identification efforts. These include:

- Conduct background research: consult SHPO and Indian Tribes
- Take oral history interviews: interview local historians
- Complete field surveys: initiate phase I surveys. Remember that only professionally qualified individuals can conduct an evaluation and identification of historic properties.
- Reference past planning, research and studies: Gather information on the types and number of recorded archaeological sites within a 1-mile radius of the project APE. This can be done by contacting the office of the State Archaeologist using the *Request for Iowa Site File Search* form found in this appendix. Another source for a building's architectural history can be found on the Iowa City Sanborn Maps. These are available from the University of Iowa <http://www.lib.uiowa.edu/maps/SanbornMaps.html> State Historical Society, or a local library.

Step 3 Results of Identification and Evaluation (36 CFR Part 800.4(d))

After evaluation, the recipient must determine if the activity will effect historic properties. Based upon the evaluation, one of the following findings must be made:

_____ **No historic properties affected.** This means that either there are no historic properties present or there will be no effect upon the historic properties by the undertaking. If this finding applies to your activity do the following:

1. Complete and send the *Request for SHPO Comment on a Project* form found in this appendix to SHPO. Make certain that Section III: Applicant Certification is marked appropriately and the form is signed by the Agency Official or Responsible Entity.
2. 30 days after notification if SHPO or the Indian Tribes have not objected to the finding the recipients responsibilities under Section 106 is fulfilled.

Historic properties affected. This means there are historic properties present and they will be effected by the undertaking or that SHPO or the Indian Tribes have objected to the agency's finding. You must now determine if the undertaking will have an adverse effect on the historic property (36 CFR Part 800.5).

- **Adverse Effect:** an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association. If your activity meets this criterion you need to contact SHPO immediately (36 CFR Part 800.6).
- **No Adverse Effect:** if your activity does not meet the above definition of an adverse effect, complete and send the *Request for SHPO Comment on a Project* form found in this appendix. Make certain that Section III: Applicant Certification is marked appropriately and the form is signed by the Agency Official or Responsible Entity.